

**Effective 5/12/2015**

**10-2a-209 Processing of petition by lieutenant governor -- Certification or rejection -- Processing priority.**

- (1) Within 45 days of the filing of a petition under Section 10-2a-208, the lieutenant governor shall:
  - (a) with the assistance of other county officers of the county in which the incorporation is proposed from whom the lieutenant governor requests assistance, determine whether the petition meets the requirements of Section 10-2a-208; and
  - (b)
    - (i) if the lieutenant governor determines that the petition meets those requirements, certify the petition and notify in writing the contact sponsor of the certification; or
    - (ii) if the lieutenant governor determines that the petition fails to meet any of those requirements, reject the petition and notify the contact sponsor in writing of the rejection and the reasons for the rejection.
- (2)
  - (a) If the lieutenant governor rejects a petition under Subsection (1)(b)(ii), the petition may be modified to correct the deficiencies for which it was rejected and then refiled with the lieutenant governor.
  - (b) A modified petition under Subsection (2)(a) may be filed at any time until 30 days after the lieutenant governor notifies the contact sponsor under Subsection (1)(b)(ii), even though the modified petition is filed after the expiration of the deadline provided in Subsection 10-2a-208(1).
  - (c) A signature on an incorporation petition under Section 10-2a-208 may be used toward fulfilling the signature requirement of Subsection 10-2a-208(2)(a) for the petition as modified under Subsection (2)(a).
- (3)
  - (a) Within 20 days of the lieutenant governor's receipt of a modified petition under Subsection (2)(a), the lieutenant governor shall follow the same procedure for the modified petition as provided under Subsection (1) for an original petition.
  - (b) If the lieutenant governor rejects a modified petition under Subsection (1)(b)(ii), no further modification of that petition may be filed.

Amended by Chapter 157, 2015 General Session

Renumbered and Amended by Chapter 352, 2015 General Session